



Rose, Connie <connie_rose@fws.gov>

New Request: Fwd: FOIA from: Jennifer Sellers Wong

FOIA, FWHQ <fwhq_foia@fws.gov>
To: jwong@elginlawyer.com
Cc: Connie Rose <connie_rose@fws.gov>

Fri, Mar 3, 2017 at 3:03 PM

Dear Ms. Wong,

The United States Fish and Wildlife Service (FWS) Headquarters FOIA Office received your request dated March 3, 2017. We have forwarded your request to our Region 3 office for processing.

If you have any questions or concerns regarding this FOIA request; please contact Connie Rose (connie_rose@fws.gov) at 612-713-5413.

Respectfully,

United States Fish and Wildlife Service
Headquarters Freedom of Information Act Office
MS: IRTM
5275 Leesburg Pike
Falls Church, VA 22041

----- Forwarded message -----

From: **U.S. Department of the Interior** <webmaster@ios.doi.gov>
Date: Fri, Mar 3, 2017 at 12:14 PM
Subject: FOIA from: Jennifer Sellers Wong
To: fwhq_foia@fws.gov

Submitted on Friday, March 3, 2017 - 12:14pm

Submitted by anonymous user: [10.156.8.158]

Submitted values are:

Your Name: Jennifer Sellers Wong

Street Address: 2400 Big Timber Rd., Suite 201A

City: Elgin

State or Country: Illinois

Zip or Postal Code: 60124

Address Type: Business

Daytime Phone Number: 847-697-6770

Fax Number: 847-697-1150

E-mail Address: jwong@elginlawyer.com

Confirm E-mail Address : jwong@elginlawyer.com

Your Organization: Early, Tousey, Regan, Wlodek & Wong

Are you filing the request on behalf of another party? No

If so, who are you filing the request on behalf of?

Contact Information Certification: I certify that the above statement(s) concerning who I am filing the request on behalf of are true and correct to the best of my knowledge and belief. If I want to receive greater access to records about a person I represent, I will submit proof that the person consents to the release of the records to me, as discussed in 43 C.F.R. § 2.9.

Bureau/Office: Fish & Wildlife Service (FWS)

Relevant park, refuge, site or other location: Region 3 - Midwest

Request Description:

DEFINITIONS

The following definitions and instructions are applicable to each category of documents listed above, and are incorporated into each such category of documents.

A) As used therein, the term "document" means any writing or other tangible thing in the possession, custody or control of said defendants, or their agents or employees or to which it or its counsel have, have had, or can otherwise obtain access whether printed, recorded, reproduced by any process, or written or produced by hand, including but not limited to, letters, correspondences, reports, agreements, memorandums, telegrams, Telex, mailgrams, facsimiles, memoranda, summaries or records of personal conversations, diaries, calendar notations, tape recordings of meetings or conferences, tape recordings of any kind, minutes or records of meetings or conferences, reports or summaries of investigations or interviews, records, reports or summaries of negotiations, brochures, pamphlets, advertisements, circulars, press releases, charts, maps, surveys, blueprints, drawings, drafts of any documents, revisions of draft of any document original or preliminary notes and tapes and

printouts, electronically stored information (ESI) as defined herein and other data storage mechanisms which through detection devices may be put into reasonably usable form.

B) As used herein, the term "communication" means any transmission of words or thoughts between or among two or more persons, including but not limited to spoken words, conversations, conferences, discussions, talks and reports, whether transmitted in person or by any electronic device, software program or electronic application such as email, text message, instant messenger, or any other electronic form, facsimile, telephone or radio, and documents as defined above.

C) As used herein, the term "Elgin Community College" or "ECC" includes Community College District No. 509 and all its and all agents, servants, employees, representatives, and anyone acting on its behalf.

D) As used herein, "Phoenix & Associates Inc." refers to Phoenix Environmental Inc. d/b/a Phoenix & Associates, Inc. George Kanagin and all agents, servants, employees, representatives, and anyone acting on its behalf.

E) As used herein, "Wills, Burke, Kelsey, Associates, Ltd." refers to Wills, Burke, Kelsey, Associates, Ltd f/k/a CHRISTOPHER B. BURKE ENGINEERING WEST, LTD. and n/k/a WBK Engineering, LLC, Chris Lindley, Patrick Kelsey, Patrick Verhalen, Kristine Meyers, John Wills, Christopher Burke and all agents, servants, employees, and representatives of theirs

F) EPA refers to the United States Environmental Protection Agency and all agents, servants, employees, representatives, and anyone acting on its behalf.

G) USACE refers to the U.S. Army Corps of Engineers and all agents, servants, employees, representatives, and anyone acting on its behalf.

H) As used herein, the term "relate to" means constitute, contain, refer to, reflect, evidence, or in any way logically or factually connected with the matter discussed.

INFORMATION REQUESTED PURSUANT TO FOIA:

1. Every Meeting and its date, place, substance, purpose of the meeting and whether it was scheduled or spontaneous and the names and addresses of all who attended each meeting relating to the EPA Request for Information DOCKET NO. V-404-308-12-DSI into the alleged discharge of dredged or fill material into waters of the United States, located in Section 21, Township 41 N, Range 8 E, in the City of Elgin, Kane County, Illinois from January 1, 2010 to present, and relating to LRC-2010-553, LRC-2010-728 and the alleged investigation by the ACOE into the Unauthorized Filling of Advanced Identification (ADID #1403) Wetland for the West Parking Lot Addition for the Elgin Community College, from January 1, 2010 to present, including any documents, correspondences or communications with Elgin Community College, Wills, Burke, Kelsey, Associates, Ltd., n/k/a WBK Engineering, LLC, the U.S. Environmental Agency, The US. Army Corps of Engineers and Phoenix & Associates, Inc. as defined

above.

2. All documents, records, notes, photographs, emails, correspondences, drawing, maps, reports, complaints, charges or any other records relating to the EPA Request for Information DOCKET NO. V-404-308-12-DSI into the alleged discharge of dredged or fill material into waters of the United States, located in Section 21, Township 41 N, Range 8 E, in the City of Elgin, Kane County, Illinois, from August 1, 2009 to present, including any documents, correspondences or communications with Elgin Community College, Wills, Burke, Kelsey, Associates, Ltd., n/k/a WBK Engineering, LLC, the U.S. Environmental Agency, and Phoenix & Associates, Inc.

3. All documents, records, notes, photographs, emails, correspondences, drawing, maps, reports, complaints, charges or any other records relating to relating to LRC-2010-553, LRC-2010-728 and the alleged investigation by the ACOE into the Unauthorized Filling of Advanced Identification (ADID #1403) Wetland for the West Parking Lot Addition for the Elgin Community College, from January 1, 2010 to present, including any documents, correspondences or communications with Elgin Community College, Wills, Burke, Kelsey, Associates, Ltd., n/k/a WBK Engineering, LLC, the U.S. Environmental Agency, and Phoenix & Associates, Inc. as defined above.

4. All documentation related to the federally permitted, fully compliant off site wetland mitigation area located in the Tyler Creek Watershed, located in Kane County, Illinois pursuant to ACOE Permit Number 906(85029) or any other permit numbers.

5. All documentation for any wetland mitigation property or mitigation banks or any ACOE permit numbers owned, leased, controlled or managed by Phoenix Environmental Inc. d/b/a Phoenix & Associates, Inc.

6. All documents, records, notes, photographs, emails, correspondences, drawing, maps, reports, complaints, charges, permits, or any other records relating to relating "1991 Wetland Delineation and Mitigation Plan" For Community College District No. 509, commonly known as Elgin Community College's 1991 construction of roadways and parking areas associated with the Visual and Performing Arts Center located at Spartan Drive & McLean Boulevard, Elgin, Illinois, 60123.

7. All documents, records, notes, photographs, emails, correspondences, drawing, maps, reports, complaints, charges, permits or any other records relating to the College's compliance with the requirements of the permit issued by the U.S. Army Corps of Engineers to Community College District No. 509, commonly known as Elgin Community College in 1992 pursuant to Section 404 of the Clean Water Act, including without limitation all documents related to the College's compliance with the Special Conditions to that permit.

Desired Format of Disclosure: Electronic format via email

Select the applicable reason why you are requesting expedited processing:

Justification for Expedited Processing:

Expedited Processing Certification:

Please select the appropriate statement: I agree to pay fees up to a particular amount (see my response below).

I agree to pay fees up to this particular amount: \$50.00

To assist in determining my requester category to assess fees, you should know that I am: an individual seeking information for personal use and not for commercial use

Affiliated Organization:

Check the boxes to the right to confirm that you meet the Department's fee waiver criteria:

Please explain why your request for a waiver of fees or a reduction in fees is justified.:

The results of this submission may be viewed at:

<https://www.doi.gov/node/11498/submission/140763>

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United States Fish and Wildlife Service
Headquarters Freedom of Information Act Office
MS: IRTM
5275 Leesburg Pike
Falls Church, VA 22041